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*Attorneys for Defendants*

*Magnify Inc., Premero Investments Ltd.,*

*Strand International Investments Ltd.,*

*The Yeshaya Horowitz Association,*

*Yair Green and Express Enterprises Inc.*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
Of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MAGNIFY INC., et al.,

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05279 (SMB)

Defendants. :  
\_\_\_\_\_ :

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL WITH PREJUDICE  
OF CROSS-CLAIMS OF DEFENDANT SPECIAL SITUATIONS CAYMAN FUND, L.P.**

Defendants Magnify Inc., Premero Investments Ltd., Strand International Investments Ltd., The Yeshaya Horowitz Association, Yair Green, and Express Enterprises Inc., by and through their counsel, Davidoff Hutcher & Citron LLP, and former defendant and cross-claimant Special Situations Cayman Fund, L.P. (“SSCF”), by and through its counsel, Lowenstein Sandler, P.C. (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 6, 2010, the Trustee filed a Complaint against SSCF and other defendants in the above-captioned adversary proceeding, some of whom have previously been dismissed from this adversary proceeding. Thereafter, on September 21, 2011, the Trustee filed an Amended Complaint against all of the original defendants named in this adversary proceeding.

2. On May 13, 2011, SSCF served an Answer to the Trustee’s Complaint. By stipulation and order entered October 19, 2011, SSCF and the Trustee agreed that SSCF’s previously-filed Answer would be deemed to be, and would operate as, an Answer to the Trustee’s Amended Complaint. SSCF’s Answer contained two cross-claims, for contribution and indemnification respectively, against the other Defendants named herein.

3. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Trustee and SSCF have previously stipulated to a dismissal with prejudice of the Trustee’s claims against SSCF in the above-captioned adversary proceeding, and that Stipulation has been “So Ordered” by this Court on September 18, 2015.

4. By reason of the dismissal with prejudice of the Trustee's claims against SSCF, the Parties hereby stipulate to the dismissal with prejudice of SSCF's cross-claims against the remaining Defendants in this adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York  
October 1, 2015

**DAVIDOFF HUTCHER & CITRON LLP**

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*Attorneys for Defendant Special Situations Cayman  
Fund LP*

SO ORDERED:

Dated: New York, New York  
October 7<sup>th</sup>, 2015

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE